

1 HONORABLE RONALD B. LEIGHTON
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11 UNITED STATES DISTRICT COURT
12 WESTERN DISTRICT OF WASHINGTON
13 AT TACOMA
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15 WENDY WADE, MARY NELSON, JAMES
16 ROGERS, JR., JOHNNNY BOOTH, RALPH
DAVIS, and all similarly evicted tenants,

Plaintiffs,

v.

GRE WINDSTAR, L.L.C. et al.,

Defendants.

Case No. C06-5144RBL

ORDER GRANTING MOTION FOR
TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE

17 THIS MATTER is before the court on Plaintiffs' Motion for a Temporary Restraining Order and
18 Preliminary Injunction. The court has reviewed the materials submitted by the Plaintiffs. The court finds that
19 it has jurisdiction over the subject matter and that jurisdiction over the defendants can be obtained through
20 service of process.

21 The court further finds that Plaintiffs have established for purposes of a Temporary Restraining Order
22 under Fed. R. Civ. P. 65 that the Defendants have engaged in activities which deprive Plaintiffs of their
23 federally protected property interest in their homes without due process and which breached a contract
24 intended to benefit the plaintiffs.

25 The court further finds that the plaintiffs are likely to suffer irrevocable harm in the form if evictions
26 if the status quo is not maintained pending a fuller hearing on the merits of the plaintiffs' claims. The Plaintiffs
27 have notified the defendants at least informally of their intent to file this action and to seek a TRO, although
28 it does not appear that the Complaint has been filed. The court finally finds that under Fed. R. Civ. P. 65(c)

1 security shall not be required of the plaintiffs, due to their apparent lack of financial resources.

2 THEREFORE, it is hereby ORDERED

- 3 1. The Defendants are ENJOINED from evicting the Plaintiffs from their homes.
- 4 2. The Plaintiffs shall serve their complaint, their Motion, and a copy of this ORDER on all of the
- 5 defendants within two days of the date of this ORDER.
- 6 3. The Defendants shall, by the close of business Wednesday, March 29, 2006 SHOW CAUSE
- 7 in writing why a Preliminary Injunction should not be entered, and the parties shall appear for
- 8 a hearing on the Plaintiffs' Motion for a Preliminary Injunction on FRIDAY, March 31, 2006
- 9 at 8:30 a.m. This Order shall expire on that date unless it is extended or modified at the
- 10 hearing.

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12 DATED this 22nd day of March, 2006

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15 Ronald B. Leighton
16 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE